Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 03/13/07	Bureau/Station/Facility: NARCOTIC BUREAU (WHD)	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 007-00350-3609-057	Date: 03/12/07	Time: 1230
City or Station: LOS ANGELES	Nature of Incident: DEPUTY-INVOLVED HIT SHOOTING	
Location: [redacted] PURDUE AVENUE, LOS ANGELES		

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: ALLEY

Lighting (*circle only one*): Darkness, **(Daylight)**, Other, Street Lights

Weather (*circle only one*): **(Clear)**, Cloudy, Fog, Rain

Distance: 3 & 2 FEET

Incident Type (*circle one or more*): Accidental, Armed Person, **(Fleeing Suspect)**, Foot Pursuit, Gun Take Away, **(Moving Vehicle)**, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, **(Warrant Service)**, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, Observation, One Person Unit, Other, **(Search Warrant)**, Two Person Unit

Prior Activity (*circle only one*): **(Detective)**, Inmate Transport, Other, Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
4	0	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*): EM / PM / Day	ShiftType (*circle only one*): Regular / Overtime / Off Duty
[redacted]	KNUDSEN	ROBERT	B.	(Day)	(Regular)

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]			

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*): On Duty / Present during shooting / Witness to shooting / Involved in shooting
[redacted]	KNUDSEN	ROBERT	B.	(On Duty), (Present during shooting), (Witness to shooting)

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	N/A		

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	WHITTEN	JAMES	L.

PSTD Use Only
SH # SH2190984

Officer Involved Shooting

URN: 007-00350-3609-057

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03/12/07	1445		

Employee #	Last Name	First Name	M.I
[redacted]	BERG	MICHAEL	R.
[redacted]	CARR	TIMOTHY	D.
[redacted]	JENNINGS	RICKEY	D.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	OV					SD	KN
S1	E2	OV					NN	
E1	S1	FH	BR	9	Y	Y	GS	SH
E1	S1	FH	BR	9	Y	Y	GS	NK
E2	S1	FH	BR	9	Y	Y	GS	CH
E2	S1	FH	BR	9	Y	Y	GS	FI

Officer Involved Shooting
Involved Employee Information

URN: 007-00350-3609-057

Involved Employee

E 1

Field	Value
Employee #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	
Sex	M
Race	W
Rank	DEPUTY SHERIFF
Unit Assignment	NARCOTIC BUREAU
Work Assignment (Unit #, Module, etc.)	WEST HOLLYWOOD
ShiftTime (*circle only one*)	EM PM **Day** (circled)
ShiftType (*circle only one*)	**Regular** (circled) Overtime Off Duty
Intoxication/Drug Usage?	☐
Substance Used	NONE
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	NONE
Interviewed?	☐
Hrs of sleep prior to shooting	8
Duty Time (hrs)	[redacted]
Clothing (*circle only one*)	Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, **Raid Jacket w/ Vest** (circled), Uniform no Vest, Uniform w/ Vest
Other Factors	
Age	42
Height	602
Weight	250
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	☒
Number of Prior Shootings	1
Directed Force	[redacted]
Weapons Fired Brand	H & K
Caliber	9
# Shots	2
Weapons Fired Brand (2)	
Caliber (2)	
# Shots (2)	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	

E 2

Field	Value
Employee #	[redacted]
Last Name	MURPHY
First Name	PATRICK
M.I.	
Sex	M
Race	W
Rank	DEPUTY SHERIFF
Unit Assignment	NARCOTIC BUREAU
Work Assignment (Unit #, Module, etc.)	WEST HOLLYWOOD
ShiftTime (*circle only one*)	EM PM **Day** (circled)
ShiftType (*circle only one*)	**Regular** (circled) Overtime Off Duty
Intoxication/Drug Usage?	☐
Substance Used	NONE
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	NONE
Interviewed?	☐
Hrs of sleep prior to shooting	8
Duty Time (hrs)	[redacted]
Clothing (*circle only one*)	Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, **Raid Jacket w/ Vest** (circled), Uniform no Vest, Uniform w/ Vest
Other Factors	
Age	42
Height	509
Weight	200
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Directed Force	[redacted]
Weapons Fired Brand	BERETTA
Caliber	9
# Shots	2
Weapons Fired Brand (2)	
Caliber (2)	
# Shots (2)	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	
Field Training Officer Emp #	
Last Name	[redacted]
First Name	
M.I.	

E ___

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	
Race	
Rank	
Unit Assignment	
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*)	EM PM Day
ShiftType (*circle only one*)	Regular Overtime Off Duty
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	
Duty Time (hrs)	
Clothing (*circle only one*)	Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest
Other Factors	
Age	
Height	
Weight	
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	
Directed Force	☐
Weapons Fired Brand	
Caliber	
# Shots	
Weapons Fired Brand (2)	
Caliber (2)	
# Shots (2)	
Field Training Officer Emp #	
Last Name	
First Name	
M.I.	
Field Training Officer Emp #	
Last Name	
First Name	
M.I.	

See Other Side

Officer Involved Shooting
Suspect Information

URN: 007-00350-3609-057

Suspect Information

S 1

Last Name: MAIHART		First Name: JONATHAN	M.I.:
AKA Last Name: MAIHART		First Name: JONATHAN	M.I.: A
Sex: M Race: O	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. 03/24/87	Height: 506 Weight: 195	FBI #: [redacted]	CII #: [redacted]
Booking #: 9716849	Primary Charge: 664/187 PC	Secondary Charge: 11351 H/S	
Coroner Case? ☐	Coroner Case #: N/A	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make: LEXUS 4 DOOR		Model: 300	Year: 1999

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY-INVOLVED-HIT SHOOTING
IAB SH2190984
URN 007-00350-3609-057

On Monday, March 12, 2007, Sergeants Tim Carr and Mike Berg, along with Lieutenant Rick Jennings of Internal Affairs Bureau responded to [redacted] Purdue Avenue, Los Angeles, regarding Deputies [redacted] and Patrick Murphy's on-duty Deputy Involved hit shooting.

On Monday, March 12, 2007, at approximately 1000 hours, Deputy [redacted] and Sergeant Robert Knudson from West Hollywood Narcotics Crew responded to [redacted] Purdue Avenue, Los Angeles, to conduct a surveillance of Suspect Jonathan Maihart's apartment and vehicle. Deputy Patrick Murphy responded to the Superior Court to have Judge Richard Stone sign a Search Warrant for Suspect Maihart's apartment and vehicle. As time passed, Sergeant Knudson enlisted the assistance of Deputy Joy Burch, Narcotics Bureau K-9 handler, and Deputy Tom Purdy, Lost Hills Narcotic Crew.

Sergeant Knudson believed the safest way to serve the search warrant was to allow Suspect Maihart to exit his apartment and stop him prior to him entering into his vehicle. Suspect Maihart's vehicle was parked in the rear alley of the apartment complex. Sergeant Knudson directed a fixed post surveillance of Suspect Maihart's apartment and vehicle. Sergeant Knudson and his team members had performed this type of surveillance/takedown operation numerous times in the past. Deputy [redacted] positioned his Narcotics undercover minivan two stalls south of Suspect Maihart's 1999 Lexus Aristo four door vehicle.

Deputy Murphy positioned his undercover vehicle southwest of Deputy [redacted] minivan. Deputy Burch was positioned approximately three hundred feet southeast of Deputy [redacted] minivan. Deputy Purdy was to be positioned in front of the apartment complex on Purdue Avenue, however he got lost a few miles from the location and arrived after the shooting had occurred. Sergeant Knudson was positioned fifty feet northwest of Deputy [redacted] minivan.

Suspect Maihart exited his apartment and walked through the west walkway of the apartment complex and entered the alley. Suspect Maihart walked north through the alley, toward his vehicle which was parked in a parking stall, directly behind his apartment complex. Suspect Maihart entered his vehicle and was contacted by Deputies [redacted] and Murphy, who were wearing green entry vests with the word "Sheriff" printed on the front and back. Deputies [redacted] and Murphy pointed their weapons at Suspect Maihart and ordered him to show his hands.

Suspect Maihart looked at the Deputies with a "deer in the headlight" type of look and started the vehicle's engine. Suspect Maihart put the vehicle in reverse and accelerated backwards. As Suspect Maihart began reversing his vehicle, Sergeant Knudson arrived and stopped behind Suspect Maihart's vehicle. The rear end of Suspect Maihart's vehicle crashed into Sergeant's Knudson's driver's side front quarter panel.

Suspect Maihart quickly put his vehicle in drive and drove straight toward Deputies [redacted] and Murphy. Deputies [redacted] and Murphy, fearing for their lives, fired two rounds each at Suspect Maihart, striking him all four times. Deputies [redacted] and Murphy jumped out of the way from the Suspect's vehicle. As Deputy [redacted] was jumping out of the way of Suspect Maihart's vehicle, he was struck by the front bumper. Suspect Maihart's vehicle ultimately crashed into Deputy [redacted] minivan. Deputies [redacted] and Murphy, along with Sergeant Knudson arrested Suspect Maihart without further incident.

Suspect Maihart sustained multiple gunshot wounds to his left upper chest, right shoulder, neck, and left middle finger. He was transported to UCLA Medical Center. Deputy [redacted] sustained minor injuries to his right leg, caused by the bumper of the Suspect's vehicle. He was treated at Olympia Medical Center hospital and released.

IAB Lieutenant Rick Jennings checked to see that the Narcotics Zone Lieutenant James Witten took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, IAB Lieutenant Rick Jennings checked to see if Lieutenant James Witten attempted to have involved and witness personnel gather in the company of a supervisor until they had provided a statement to the assigned investigators. Refer to **Exhibit B** for the Crime and Supplemental reports.

INVOLVED PERSONNEL:

Deputy [redacted] #[redacted]
Detective Division
Narcotics Bureau, West Hollywood

Employee Work History:

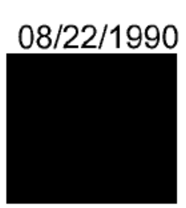
Date of Employment
Date Assigned to Patrol
Completed Patrol Training
Prior Shooting Incident(s)
Prior Founded Force Incidents


[redacted]

Deputy Patrick Murphy #[redacted]
Detective Division
Narcotics Bureau, West Hollywood

Employee Work History:

Date of Employment	08/22/1990
Date Assigned to Patrol	[redacted]
Completed Patrol Training	
Prior Shooting Incident(s)	
Prior Founded Force Incidents	



SUSPECT:

Jonathan Maihart Male White/19 BK. #9716849

Suspect Maihart criminal background. A check of the CCHRS (Consolidated Criminal History Reporting System) revealed that Suspect Maihart (CII# [redacted]) [redacted]. Refer to the CCHRS and RAPS printouts included under **Exhibit A, pages 85-90** and **99-107.**

WITNESSES:

Sworn:

Sergeant Robert Knudson #[redacted]
Detective Division
Narcotics Bureau, West Hollywood

Deputy Joy Burch #[redacted]
Detective Division
Narcotics Bureau, West Hollywood

Deputy Tom Purdy #[redacted]
Detective Division
Narcotics Bureau, West Hollywood

Civilian:

[redacted]



INJURIES:

Suspect:

Jonathan Maihart sustained four gunshot wounds; one to his left upper chest, one to his right shoulder, one to his neck, and one to his left middle finger. He was seen and treated by Doctor Henry Cryer at UCLA Medical Center.

> **IAB Note:** During this incident, Sheriff's Homicide Investigators and West Hollywood Narcotics Crew did not interview the treating Physician. I was unable to receive additional information on Suspect Maihart's injuries without his authorization. Suspect Maihart has retained an attorney and I have chosen not to contact him about his medical records during the impending trial.

Deputy:

Deputy [redacted] sustained a swollen right knee. He complained of pain to his knee and lower back. He was treated and released from Olympia Medical Center.

Civilian:

No Civilians were injured.

PHYSICAL EVIDENCE:

Refer to Homicide Book, **Exhibit A, pages 108-113** for Physical Evidence gathered at the crime scene and processed by the Sheriff's Crime Lab. The Crime Lab report is located inside the Homicide Book, **Exhibit A**, **pages 58-59**. The crime scene sketch is located in **Exhibit E**. Refer to the photographs of the crime scene in **Exhibit A, pages 25-43** and in **Exhibit E.**

HOMICIDE INVESTIGATORS OBSERVATIONS:

The physical evidence at the shooting scene, location of the vehicles, and expended rounds appear to be consistent with the Deputies' versions of the event. Refer to Homicide Book, **Exhibit A**, pages **13-20** and **58-59** for Homicide's Supplemental Report of the scene. Also, refer to **Exhibit A, pages 25-43 and Exhibit E** for photographs of the scene. Refer to **Exhibit A**, Homicide Book, **pages 64-78** for the items recovered inside the Suspect's apartment.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy [redacted]

Firearm: Heckler and Koch P2000SK, 9mm, Luger Caliber serial [redacted] Two rounds of duty issued 9mm ammunition were fired. [redacted] carried his weapon with ten (10) rounds in the magazine and one (1) in the chamber. Following the shooting, he had eight (8) in the magazine and one (1) in the chamber. Refer to the Crime Lab examination of [redacted] weapon inside **Exhibit A,** from inside the Homicide Book, lab receipt J857102, **pages 58-63.**

Deputy Patrick Murphy

Firearm: Beretta 92F, 9mm, Luger Caliber serial #BER[redacted]Z; Two (2) rounds of duty issued 9mm ammunition were fired. Murphy carried his weapon with fifteen (15) rounds in the magazine and one (1) round in the chamber. Following the shooting, he had thirteen (13) rounds in the magazine and one (1) round in the chamber. Refer to the Crime Lab examination of Murphy's weapon **Exhibit A**, from Homicide Book, lab receipt #J857101, **pages 58-63**.

WEAPONS USED BY SUSPECT:

Suspect Maihart used his 1999 Lexus Aristo four door, tan in color as a weapon. Refer to **Exhibit A,** inside Homicide Book, **page 21** for the CHP 180 report. Also refer to **Exhibit A,** inside Homicide Book**, pages 25-43** for a photograph of the Suspect Vehicle.

PROPERTY DAMAGE:

There was minor damage to the driver's side front end of Sergeant Knudson's 1999 Ford Explorer. There was moderate damage to the driver's side rear bumper of Deputy [redacted]. Suspect Maihart's 1999 Lexus' had moderate damage to the driver's side rear quarter panel and bumper, along with moderate damage to the passenger side front bumper. Refer to **Exhibit A,** inside Homicide Book, **page 16-20.**
Refer to **Exhibit B** for Traffic report and Supervisor's report.

> **IAB Note:** Sergeant Steven Gonzalez from Traffic Services Detail reviewed the photographs of the three damaged vehicles. Based on the damages, Sergeant Gonzalez estimated Suspect Maihart's vehicle speed at or below ten miles per hour.

CRIMINAL INVESTIGATORS and CHARGES FILED:

Suspect Maihart

Investigator's Name:	Detective Patrick Murphy
Court:	Criminal Courts Building
Charges Filed:	11351 H/S, 11137 H/S, 11359 H/S, 187PC & 245 (c) PC
Court Date:	06/24/2008
Case Number:	BA318737

LIGHTING OR WEATHER CONDITIONS:

The weather was clear, warm and bright, approximately 80 degrees at the time of the shooting (approximately 1230 hours). Refer to **Exhibit A**, inside Homicide Book, **page 13.**

INVOLVED EMPLOYEES' STATEMENTS:

Deputies [redacted] and Patrick Murphy were interviewed by Homicide Investigators Sergeant Alex Macarthur and Detective Paul Fournier on Monday, March 12, 2007. Refer to **Exhibit A**, inside Homicide Book, **pages 3-8,** for a summary of the interviews. The following summaries are from Sheriff's Homicide Investigators interview and from Internal Affairs Bureau interview conducted by Sergeants Tim Carr and Diana Holloway.

Deputy [redacted]

On Monday, March 12, 2007, Deputy [redacted] was assigned to West Hollywood Narcotics Crew. Deputy [redacted] was seated in the rear seat of his [redacted], which was parked two parking stalls south of Suspect Maihart's vehicle. Deputy Murphy was parked southwest of Deputy [redacted] in an unmarked undercover vehicle. The plan was to detain Suspect Maihart as he attempted to entered his vehicle. Deputy Murphy was to advise over the Sheriff's radio when he had a visual of Suspect Maihart. Deputy Murphy attempted to broadcast over the radio that Suspect Maihart was heading toward his vehicle, but his radio was not working properly and the Deputies on the surveillance never heard Deputy Murphy transmit any information on Suspect Maihart.

Deputy [redacted] saw Suspect Maihart walking behind his vehicle enroute to (Maihart's) vehicle. Deputy [redacted] broadcasted over the radio that Suspect Maihart was near his vehicle. Deputy [redacted] exited his vehicle and saw Suspect Maihart seated in his vehicle. Deputy [redacted] confronted Suspect Maihart while standing on the driver's side of the vehicle, approximately five feet away near the front of the hood. Deputy [redacted] pointed his weapon at Suspect Maihart and announced several times, "Sheriff's Department, let me see your hands."

IAB Note: During Deputy [redacted] interview with Sheriff's Homicide investigators he said, "once Suspect Maihart sat down in his vehicle and closed the door, we were going to detain him." During my interview with Deputy [redacted], he told me the plan was to detain Suspect Maihart before he entered his vehicle. Deputy [redacted] told me the statement with Sheriff's Homicide was inaccurate. Deputy [redacted] did not attempt to mislead Sheriff's Homicide Investigators or myself.

Suspect Maihart's eyes were opened very wide and he appeared very frightened. Suspect Maihart had that "Deer in the headlight" look. Deputy [redacted] wasn't sure if Suspect Maihart turned the engine on or if the engine was already on. Suspect Maihart turned his head toward his right, over his shoulder and accelerated his vehicle at a high rate of speed in reverse, crashing into the driver's side front end of Sergeant Knudson's vehicle, causing minor damage. After the collision, Deputy [redacted] began to move south toward his [redacted]. Deputy [redacted] wanted to get near the [redacted] because he knew the [redacted] would provide cover, and he also knew Deputy Burch was alone at the south end of the alley. As Deputy [redacted] moved south he thought Deputy Murphy was near him, but wasn't sure.

As Deputy [redacted] was moving south, he saw Suspect Maihart make an adjustment to his steering wheel, put his gear shift into drive, and accelerate toward him. As Suspect Maihart's drove toward him, Deputy [redacted] realized Suspect Maihart made no attempt to drive south through the alley and escape. Deputy [redacted] saw Suspect Maihart's lips moving as if he was talking, but he was unable to determine what he was saying. Deputy [redacted] was scared and believed he was going to be run over by Suspect Maihart's vehicle.

Deputy [redacted] estimated Suspect Maihart's vehicle speed to be approximately twenty to forty miles per hour. As Deputy [redacted] neared his [redacted], approximately one to two feet east of the driver's side rear bumper, in fear for his life he fired two rounds at Suspect Maihart. After Deputy [redacted] fired his rounds, he was struck on the right knee by the front driver's side bumper of Suspect Maihart's vehicle. After being struck by the vehicle, Deputy [redacted] landed chest first on top of the front hood. Deputy [redacted], quickly placed his left hand on the hood and pushed himself off, landing on the ground, on the driver's side of Suspect Maihart's vehicle. Deputy [redacted] did not know if he shot two rapid shots or fired one round, delayed, and fired a second round.

Deputy [redacted] was looking in a westward direction when he shot Suspect Maihart. Deputy [redacted] backdrop was the alley and behind the alley was a carport structure. Deputy [redacted] did not see Sergeant Knudson or his vehicle because it was out of view during the shooting. Deputy [redacted] estimated he was approximately two feet away from Suspect Maihart when he fired his two rounds.

Deputy [redacted] heard Suspect Maihart's vehicle crash into his [redacted], but he never saw the actual crash. Deputy [redacted] said he never placed himself in the path of Suspect Maihart's vehicle during the entire incident. Deputy [redacted] said he had no other options but to shoot at Suspect Maihart. Deputy [redacted] never thought about running away toward the north or east side of the apartment complex.

> **IAB Note:** On **page 10** of Deputy [redacted] interview with Sheriff's Homicide Investigators, he told Homicide Investigators that Suspect Maihart's vehicle struck him and then Deputy [redacted] said, "I remember him (Maihart) making a second attempt." In my interview with Deputy [redacted], he stated that Suspect Maihart only made one attempt to run him over.

Deputy [redacted] believed after Suspect Maihart had crashed into Sergeant Knudson's vehicle, he (Maihart) was going to flee the location. Deputy [redacted] had no idea Suspect Maihart would attempt to run him over with his vehicle. After the shooting, Deputy [redacted] walked toward Suspect Maihart's driver's door and met Deputy Murphy and Sergeant Knudson.

They opened the driver's door and checked to see if Suspect Maihart had any weapons. Deputy [redacted] saw Suspect Maihart bleeding from his upper torso and finger. Deputy [redacted] ordered Suspect Maihart to show his hands and Suspect Maihart said several times, "Are you going to kill me?" Deputy [redacted] said someone called for an ambulance and Suspect Maihart was detained in the car, awaiting the Fire Department to arrive.

I reinterviewed Deputy [redacted] regarding Deputy Tom Purdy's being on scene during the Deputy Involved shooting. Deputy [redacted] gave Deputy Purdy directions from Lost Hills Sheriff's Station to Suspect Maihart's apartment. Deputy [redacted] believed there was a problem with the directions he gave Deputy Purdy. As Deputy [redacted] was surveilling the scene, waiting for Suspect Maihart to appear, he heard from Deputy Purdy over Sheriff's radio or a cell phone that he (Purdy) would be in position shortly. As time passed and Suspect Maihart appeared, Deputy [redacted] assumed Deputy Purdy was in position.

On the day of the shooting, Deputy [redacted] had a conversation with Deputy Purdy about how (Purdy) got lost trying to respond to the location. Deputy [redacted] did not have a conversation with Deputy Purdy about not being at the scene during the shooting. Refer to **Exhibit A,** inside the Homicide Book, **pages 25-43** for photographs of the scene, **Exhibit E** for a diagram and additional photographs of the scene and **Exhibit G** for Deputy [redacted] diagram of the scene.

Deputy Patrick Murphy

On Monday, March 12, 2007, Deputy Patrick Murphy was assigned to West Hollywood Narcotics Crew. Deputy Murphy was the lead investigator on the narcotics search warrant for Suspect Maihart. On Monday, March 12, 2007, Deputy Murphy wrote a search warrant and had it signed by Judge Richard Stone from Beverly Hills court. After having the search warrant signed, Deputy Murphy drove to Suspect Maihart's apartment complex to assist with the surveillance.

Deputy Murphy was seated in the driver's seat of a [redacted], [redacted], which was parked underneath the apartment complex of [redacted] Butler Avenue. Deputy Murphy's vehicle was backed into the parking stall and he had a visual of the rear portion of Suspect Maihart's apartment complex and the south exit walkway. As Deputy Murphy was seated in his vehicle, he saw Suspect Maihart walking through the south exit walkway and north through the alley.

Deputy Murphy attempted to broadcast over the Sheriff's radio that he had a visual on Suspect Maihart, however, his radio was not working properly. Deputy Murphy was unsure if his radio had a problem transmitting or receiving information. As Deputy Murphy was fumbling with the radio, Deputy [redacted] advised via the radio that he had a visual on Suspect Maihart.

As Suspect Maihart walked past Deputy Murphy's vehicle, Deputy Murphy exited his vehicle and walked behind Suspect Maihart at a distance. Deputies Murphy and [redacted] confronted Suspect Maihart as he was seated inside his vehicle, closing his driver's door. Deputy Murphy was standing near the driver's door and Deputy [redacted] was on the driver's side of the vehicle, near the front quarter panel.

The Deputies announced, "Sheriff's Department" and ordered Suspect Maihart to show his hands, approximately four to six times as they were pointing their weapons at him. Suspect Maihart looked at the Deputies and inserted his key in the ignition and started his engine. Suspect Maihart placed his vehicle in reverse, looked over his right shoulder, and accelerated backwards at approximately twenty miles per hour. Deputy Murphy heard Suspect Maihart's vehicle tires screeching and saw him crash into the front quarter panel of Sergeant's Knudson's vehicle.

After the collision, Deputy Murphy thought Suspect Maihart was going to give up. Deputy Murphy walked south toward Deputy [redacted] for cover and concealment and Deputy [redacted] followed behind. Deputy Murphy stood along the driver's side of the [redacted] next to the center portion of the [redacted]. Deputy Murphy's back was almost against the [redacted]

Suspect Maihart looked directly at Deputy Murphy and placed his vehicle into drive. Suspect Maihart's eyes were opened very wide. Deputy Murphy heard the tires screeching and saw Suspect Maihart's vehicle accelerate towards him at approximately twenty miles per hour. Deputy Murphy remembered that March twelth was his nineteen year wedding anniversary and began thinking he might die on this date.

Deputy Murphy, fearing he was going to be crushed between Suspect Maihart's vehicle and the [redacted], ran west towards the alley. As Deputy Murphy was running, he fired two rounds at Suspect Maihart to stop the threat. Deputy Murphy jumped out of the way as Suspect Maihart's vehicle crashed into Deputy [redacted] Deputy Murphy's backdrop was the north facing block wall and trash dumpster and his direction of fire was north. Deputy Murphy fired into the front windshield of Suspect Maihart's vehicle and was approximately three feet away from the vehicle. Deputy Murphy believed Sergeant Knudson was inside his vehicle during the shooting and because of his field of fire, Deputy Murphy believed he was never in a crossfire with Sergeant Knudson. Deputy Murphy said he never placed himself in front of Suspect Maihart's vehicle. I asked Deputy Murphy if he stopped in front of Suspect Maihart's vehicle, below is his reply.

> "Well, I don't know if it's stopped or not, but I was in a continuous motion to my left as the suspect vehicle, you know, traveled towards, in my direction. So I was never there, standing there in front of his vehicle." Refer to **Deputy Murphy's interview** on **page 22.**

Deputy Murphy was asked if he was within a safe distance from Suspect Maihart's vehicle. Below is his reply.

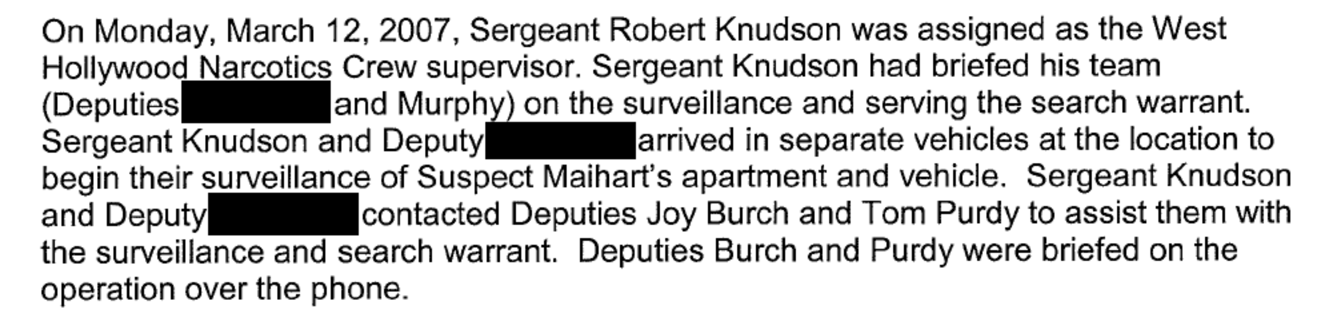
> "I mean, I was the furthest away from, like I said, my momentum brought me down here to the car. To keep an eye on him. And I, my back was almost against the [redacted] I had, you know, I had no further...I could not walk any further into the alley before he drove forward into me." Refer to **Deputy Murphy's interview** on **page 24.**

After the collision, Deputy Murphy was on the west side of the Suspect vehicle and Deputy [redacted] was on the east side. Deputy Murphy walked behind Suspect Maihart's vehicle and saw Sergeant Knudson pointing his weapon at Suspect Maihart, ordering him to show his hands. Refer to **Exhibit A,** inside the Homicide Book, **pages 25-43** for photographs of the scene, **Exhibit E** for a diagram and additional photographs of the scene and **Exhibit H** for Deputy Murphy's diagram of the scene.

DEPARTMENT WITNESS STATEMENTS:

Sergeant Robert Knudson and Deputy Joy Burch were interviewed by Homicide Investigators Sergeant Alex Macarthur and Detective Paul Fournier on Monday, March 12, 2007. Refer to **Exhibit A**, inside Homicide Book, **pages 3-8,** for a summary of those interviews. The following summaries are from Sheriff's Homicide Investigators interview and from an Internal Affairs Bureau interview conducted by Sergeants Tim Carr and Diana Holloway.

Sergeant Robert Knudson



On Monday, March 12, 2007, Sergeant Robert Knudson was assigned as the West Hollywood Narcotics Crew supervisor. Sergeant Knudson had briefed his team (Deputies [redacted] and Murphy) on the surveillance and serving the search warrant. Sergeant Knudson and Deputy [redacted] arrived in separate vehicles at the location to begin their surveillance of Suspect Maihart's apartment and vehicle. Sergeant Knudson and Deputy [redacted] contacted Deputies Joy Burch and Tom Purdy to assist them with the surveillance and search warrant. Deputies Burch and Purdy were briefed on the operation over the phone.

Sergeant Knudson had concerns about serving the search warrant while Suspect Maihart was inside the location. Sergeant Knudson believed the safest way to serve the search warrant was to have Suspect Maihart exit his apartment and detain him as he neared his vehicle. Sergeant Knudson believed his team had information that Suspect Maihart was living with his [redacted], but they didn't know if he had guns, dogs, or other people inside the apartment.

Sergeant Knudson had performed this type of surveillance takedown [redacted]. During the previous takdowns, Sergeant Knudson said once the Suspect saw the police presence, they just gave up and Sergeant Knudson was hoping for the same type of response. Deputies Murphy and Burch arrived at the scene and were placed in position. Sergeant Knudson took charge of placing each Deputy and himself in their specific location to conduct the surveillance.

> **IAB Note:** Sergeant Knudson told me and Sheriff's Homicide Investigators that Deputy Tom Purdy was in front of the location on Purdue Avenue during the Deputy Involved Shooting. However, during my interview with Deputy Purdy, I was informed that he arrived after the shooting had occurred. I reinterviewed Sergeant Knudson and advised him that Deputy Purdy arrived after the shooting. Sergeant Knudson was not aware that Deputy Purdy was not at the location during the shooting. Prior to the shooting, Sergeant Knudson believed he spoke to Deputy Purdy via the Sheriff's radio and or cell phone and Deputy Purdy announced that he had arrived at the location.

IAB Note: According to Sergeant Knudson three Deputies and himself were sufficient to conduct a surveillance. Also per Sergeant Knudson, Narcotics Bureau policy states you need to have a minimum of five Deputies to a make a search warrant entry.

As Sergeant Knudson was seated inside his vehicle, which was positioned approximately fifty feet northwest of Deputy [redacted], he heard over Sheriff's radio that Deputy [redacted] had seen Suspect Maihart walk behind his vehicle. Sergeant Knudson saw Deputy Murphy jogging north, following Suspect Maihart, in the middle of the alley, between Murphy's vehicle and Suspect Maihart's vehicle. Sergeant Knudson saw Suspect Mahart walking toward his (Mahart's) vehicle. Sergeant Knudson saw Deputy Murphy near Suspect Maihart's driver side door. Sergeant Knudson heard Deputies [redacted] and Murphy several times ordering Suspect Maihart to show his hands. Sergeant Knudson then began driving his vehicle toward Suspect Maihart's vehicle.

Sergeant Knudson thought Suspect Maihart was being detained at his driver's door. As Sergeant Knudson was traveling south through the alley, he heard Suspect Maihart's vehicle backing up at a high rate of speed, approximately ten to fifteen miles per hour. Sergeant Knudson attempted to put his foot on the brake to stop his vehicle's movement, prior to stopping behind Suspect Maihart's vehicle. Before he could stop his vehicle, Suspect Maihart crashed into the driver's side front quarter panel of Sergeant's Knudson's vehicle. Sergeant Knudson was surprised by the collision, but thought Suspect Maihart was going to give up. Sergeant Knudson opened his driver's door, retrieved his weapon and watched Suspect Maihart.

Suspect Maihart immediately put his vehicle in drive. Sergeant Knudson believed Suspect Maihart was going to turn the steering wheel of his vehicle, slightly to the right and drive south down the alley and escape. Sergeant Knudson, still seated in his vehicle, saw Deputies [redacted] and Murphy moving south toward the minivan. Deputies [redacted] and Murphy were standing together, side by side, maybe a foot apart with their backs toward the [redacted]. Suspect Maihart just kept focused on what was in front of him, Deputies [redacted] and Murphy. Suspect Maihart immediately accelerated towards the Deputies. Sergeant Knudson heard the vehicle's tires screeching. Deputies [redacted] and Murphy had a look on their face like, "Oh, we're going to get hit!"

Sergeant Knudson saw Deputy Murphy quickly moving southwest toward the alley and Deputy [redacted] moving northeast toward the apartment complex. As Deputies Murphy and [redacted] were moving away, they fired several rounds at the front windshield and at Suspect Maihart. As the shooting began, Sergeant Knudson concealed his upper chest and shoulders behind the dashboard of his vehicle.

As Suspect Maihart's vehicle passed them, they both shot several more rounds through the driver's and passenger's side windows. Sergeant Knudson estimated the shooting lasted about one second to one second and one half. Sergeant Knudson estimated the Deputies fired five to six rounds in rapid session at the Suspect. Sergeant Knudson saw Deputy Murphy shooting in a north to northeast direction and Deputy [redacted] shooting in a northwest to west direction. Refer to **Exhibit F**, for Sergeant Knudson's front and back portion of the scene diagram.

Sergeant Knudson saw Suspect Maihart's vehicle crash into the [redacted] and then saw Suspect Maihart's vehicle roll back a few feet. Suspect Maihart's vehicle had forced the [redacted] two-three feet south from where it was parked. Sergeant Knudson did not see Suspect Maihart's vehicle strike Deputy [redacted]. After the shooting, Sergeant Knudson exited his vehicle and ran behind the dumpster for cover. Sergeant Knudson approached Suspect Maihart's driver side door and ordered him at gunpoint to show his hands. As Sergeant Knudson was ordering Suspect Maihart to show his hands, he saw Deputies [redacted] and Murphy walking toward the driver's side door. Sergeant Knudson conducted a quick visual on them to ensure they were okay. As Sergeant Knudson neared Suspect Maihart, he (Maihart) stated, "Don't kill me, don't shoot me!" Sergeant Knudson ensured that the Fire Department, Los Angeles Police Department, and Sheriff's Department were notified.

Deputy Joy Burch

On Monday, March 12, 2007, Deputy Joy Burch was working as a K-9 handler assigned to Narcotics Bureau. Deputy [redacted] contacted Deputy Burch via cell phone and briefed her on the surveillance operation of Suspect Maihart's apartment and vehicle. Deputy [redacted] directed Deputy Burch to park her vehicle in the southeast portion of the alley. Deputy Burch's assignment was to block the south exit of the alley if Suspect Maihart attempted to flee in that direction.

Deputy Burch's view to the north was obstructed by a large block wall. Deputy Burch was not able to see Suspect Maihart's apartment or his vehicle. Once Deputy Burch heard over Sheriff's radio that Suspect Maihart was near his vehicle, Deputy Burch was directed to back her vehicle into the alley and block the south exit.

Deputy Burch heard over Sheriff's radio that Suspect Maihart was walking toward his vehicle. Deputy Burch slowly backed her vehicle into the alley. Deputy Burch heard the Deputies say, "Sheriff's Department get out of the vehicle." As Deputy Burch was seated in the front driver's seat, she looked north and saw Suspect Maihart's vehicle back up at a high rate of speed (approximately thirty to thirty-five miles per hour). Refer Deputy Burch's diagram inside **Exhibit I.**

Deputy Burch saw and heard Suspect Maihart crash into the front quarter panel of Sergeant Knudson's vehicle. During this collision, Deputy Burch did not know that vehicle belonged to Sergeant Knudson. After the collision, Deputy Burch saw Suspect Maihart begin to drive forward. As Deputy Burch was still parked in the alley, she wondered if she should move her vehicle out of harm's way because her K-9 dog was inside the kennel at the back portion of her van.

Deputy Burch put her vehicle in park and removed her keys from the ignition. As she was preparing to exit the van, she heard three to four shots. Deputy Burch said she was focused on the keys when she heard the gunshots. Deputy Burch left the van parked in the alley. Deputy Burch saw Suspect Maihart crash into Deputy [redacted] Deputy Burch was unsure if she saw the crash as she exited the van or as she was running toward the [redacted]

Deputy Burch arrived at the scene and saw Sergeant Knudson and Deputies [redacted] and Murphy pointing their weapons at Suspect Maihart who was seated in the driver's seat of the vehicle. Sergeant Knudson ordered Deputy Burch to call the Fire Department for Suspect Maihart. Suspect Maihart was bleeding from his arm or shoulder.

Deputy Burch was directed by Sergeant Knudson to secure Suspect Maihart's apartment. Deputy Burch contacted Suspect [redacted] (Maihart's [redacted]) with the assistance of Deputy [redacted]. Deputies [redacted] and Burch secured the apartment. Deputy [redacted] removed Suspect [redacted] from the residence and Deputy Burch stayed at the front door.

Deputy Tom Purdy

The following summary is from an Internal Affairs Bureau interview conducted by Sergeant Tim Carr.

On Monday, March 12, 2007,Deputy Tom Purdy was an investigator assigned to Lost Hills Narcotics Crew. Deputy Tom Purdy was requested by either Deputy [redacted] or Deputy Pat Murphy to assist West Hollywood Narcotics Crew with a surveillance of Suspect Maihart and a search warrant of his apartment. Deputy Purdy and Lost Hills Narcotics Crew frequently assists West Hollywood Narcotics Crew with surveillances and search warrants.

Deputy Purdy was briefed about the operation by cell phone. Deputy Purdy was given directions to the location by Deputy [redacted]. As Deputy Purdy was driving to the location, he realized he was given the wrong set of directions and called Deputy [redacted]. As Deputy Purdy was driving to the scene, he was advised by Deputy [redacted] that a shooting had occurred. Deputy Purdy arrived at the scene and saw the Fire Department administering first-aid to Suspect Maihart.

Deputy Purdy was assigned to ride in the ambulance with Suspect Maihart to UCLA Medical Center. Suspect Maihart did not speak to Deputy Purdy during the ambulance ride as he was being treated by the paramedics.

CIVILIAN WITNESS STATEMENTS:

Suspect [redacted]



Sheriff's Homicide Investigators Sergeant Alex Macarthur and Detective Paul Fournier interviewed Suspect [redacted] on Monday, March 12, 2007. Refer to **Exhibit A**, inside Homicide Book, **pages 8-9,** for a summary of that interview. The following summary is from Sheriff's Homicide Investigator's interview.

Suspect [redacted] is the [redacted] of Suspect Maihart, and have been [redacted] for two years. On Monday, March 12, 2007, [redacted] was sleeping inside their apartment. As Suspect [redacted] was laying in bed, she heard a loud car crash and then several gunshots. Suspect [redacted] called Suspect Maihart's cell phone to check on Suspect Maihart's welfare.

Suspect [redacted] contacted Suspect Maihart by cell phone and Suspect Maihart told Suspect [redacted] that he had been shot and was sitting inside his car in the apartment parking lot. Suspect [redacted] ran to their bathroom window, which faces the parking lot, and attempted to look for Suspect Maihart. While inside the bathroom, Sheriff Deputies arrived at the front door of their apartment. Suspect [redacted] opened the door and was detained by the Deputies.

WITNESSES:

Sheriff's Homicide Investigators contacted an additional twenty-two citizens who did not see the shooting, but heard either gunshots, loud noises and or a traffic collision. Refer to **Exhibit A,** Homicide Book, **pages 44-51** for a summary of their interviews.

SUSPECT STATEMENTS:

Jonathan Maihart

Sheriff's Homicide Investigators and West Hollywood Narcotics Crew did not interview Suspect Maihart. Sheriff's Homicide Investigators attempted to interview Suspect Maihart at the hospital on the day of the incident, but he was unconscious. I received this case approximately one year after the incident. Suspect Maihart had retained an attorney and is currently scheduled for trial. I did not attempt to contact Suspect Maihart during his upcoming trail. Refer to **Exhibit C** for Case Closure report and District Attorney charge sheet.

ADDITIONAL INFORMATION:

Refer to **Exhibit C** for Search Warrant Return and Operations Plan. Refer to **Exhibit D** for evidence recovered from Suspect Mahart's apartment and vehicle.